

EPA Comments on First and Second Quarterly Performance Reports (QPRs)

Cooperative Agreement Grant with Shoshone-Bannock Tribes

Eastern Michaud Flats CERCLA Site, Simplot Operable Unit

August 25, 2014

Comments Applicable to both First and Second Quarter Reports

1. Grant Name: Please revise consistent with the current agreement. This Agreement is specific to the Simplot Operable Unit only.
2. Report Narrative: The purpose of the narrative report is to document activities funded by this CERCLA Cooperative Agreement and serve as a key support document for evaluating grant compliance. Therefore, all activities mentioned should support CERCLA activities at the Simplot OU and be consistent with the final Work Plan for the Agreement. It should not include non-CERCLA related meetings or observations regarding Simplot's actions.

Care should be taken to ensure that the responses in each section address the question identified in the header line of the table. When addressing problems encountered, please limit the discussion to identification of problems which led to a delay in completing the Work Plan or fulfilling terms and conditions of the Cooperative Agreement. This should not be used to state observations of Simplot's work – such comments should be provided to the RPM at the time the observation is made.

The final column of the narrative portion should be used to identify any issues regarding the budget or schedule established under the Work Plan. An answer of "None" in this column indicates that no additional time and money are needed to complete the task. However, it appears that additional work is to be performed during the remainder of the grant period. If all actions are on schedule and budget, a more appropriate answer would be "No changes needed".

3. Task 1, Document Review: The Work Plan specifies that Tribal comments will be provided on a regular basis and that the quarterly reports will include a list of the specific activities undertaken and the number of hours spent on each individual activity. The first 2 quarterly reports should be updated to meet these specifications. For each document reviewed, please indicate the date review comments were provided to the EPA or, if no comments were provided, please indicate why. For conference calls, include the date of the call and name(s) of Tribal staff and/or consultants who participated in the teleconference and the number of hours spent on the call (including preparation time). Information presented here should be consistent with other information provided in the report.

Attachment 1 may be used to provide this information if referenced in the narrative. A revised format for your consideration is provided below. In completing this table, please remember that it should provide enough information to support reimbursement for the time spent on these activities.

Document/Call	Date	Reviewer	Hours	Action Taken

4. Budget, Grant Amount: The report should be changed to reflect that the total grant amount awarded was \$20,552, not the \$21,652 requested. Additional documentation must be submitted to the EPA prior to amending the award to include the \$1,100 requested for a vehicle. A comment on the status of this documentation would be appropriate to include in the comment section.
5. Detailed Budget, Title: Please revise title of table and columns and/or information provided to reflect expenses under the Simplot OU Cooperative Agreement.

Specific Comments - First Quarter Report

1. Q1 Task 1, Document Review, second column: The EPA is not aware of the meeting referenced in description of activities undertaken for the task (“Simplot proposal to reduce fluoride emissions”). Furthermore, it does not appear the meeting was specific to CERCLA activities for the Simplot OU. Please revise report by removing the meeting if it does not fall within the scope of the approved Work Plan or more specifically identify the meeting and include an explanation for why it falls under the scope of work. Details on who attended the meeting and the number of hours should be included in Attachment 1.
2. Q1 Task 1, Document Review, third column: The problem referenced appears to speak to administration of the previous cooperative agreement. It is unclear how it falls under the scope of work for this task. Please use this report to specifically address problems which the Tribes may have had with completing the work outlined under the task and corrective actions taken to address those concerns.
3. Q1 Task 2, QAPP Development: The first activity the Work Plan outlines for this task was for the Tribes to schedule a meeting with the EPA to discuss the reasons additional monitoring was desired and, if appropriate, to initiate development of a QAPP for that sampling. To date, the EPA has not received any request for such a meeting. The narrative should address any work the Tribes have undertaken to schedule and/or support a meeting with the EPA to discuss why the Tribes believe additional sampling is needed. It is not appropriate to include observations and concerns regarding Simplot’s overall sampling program or the Tribes desire for additional sampling as these are to be discussed during the upcoming meeting. If no activity has occurred under this task, please note that and indicate why.
4. Q1 Task 3, Public Involvement: As noted in the general comments above, this column should identify the dates and meetings actually attended during the second quarter. If there were no meetings attended, please note that.
5. Q1 Task 4, Project Management: The subject of the bi-monthly conference call identified in this section does not appear to fall within the scope of work of this task or this agreement. If the call is specific to the CERCLA work at the Simplot OU, please label in a manner where this will be easily recognized as such and include under the appropriate task. If not, please remove from the report (along with the associated costs).

6. Q1 Task 4, Project Management, fourth column: If the Tribes are going to cover project management costs for the first quarter, it should be indicated under “activities”, not in the column regarding needed changes to budget and schedule. If the intent was to state that less money was needed under the agreement because of this action, that would be appropriate information to provide in the fourth column. If so, is it the Tribes’ projection that, over the term of the agreement, less money will be used for the task than originally projected?
7. Q1 Budget, Funds Requested: The report indicates \$1,181.50 was requested from the EPA as of July 21, 2014 (the date of the report). EPA’s records indicate that two (2) reimbursement requests were received – one on June 16, 2014 for \$1,181.50 and a second on July 18, 2014 for \$1,575.00. Please modify and/or comment as appropriate.
8. Q1 Budget, Amount Spent: The report indicates that \$1,181.50 was spent during the first quarter. This suggests that all of the Tribe’s first quarter expenses were included in the voucher submitted on June 16, 2014 and that the June voucher did not include any expenditures for the second quarter. If this is not correct, please modify and provide an appropriate explanation.
9. Q1 Attachment 1, Conference Calls: It is unclear whether any of the conference calls listed are within the scope of work of this Agreement. Please clarify subject or remove. Recall that all work covered must be in support of EPA’s CERCLA activities at the Simplot OU.
10. Q1 Detailed Budget: The only costs identified are \$1,181.50 for a contractor in March. Was any work performed in January and February and, if so, how was that paid for? Were there any staff costs for project work, contractor oversight or program administration during the first quarter? Please explain and reconcile with the activities reported elsewhere in this report.

Specific Comments - Second Quarter Report

1. Q2 Task 1, Document Review, second column: This column should describe actions performed by the Tribes during the second quarter. It should not be used to specify actions Simplot or others took unless reporting on Tribal actions to review/comment on those actions.

Activities reported should be consistent with detailed information provided in Attachment 1.

No weekly treatability reports were issued during the second quarter. Please provide further explanation of why they were reviewed during this quarter.

2. Q2, Task 4, Project Management, second column: It is unclear how a bi-monthly call on the National Enforcement Initiative falls within the approved Work Plan for this task. Please clarify or remove.
3. Q2, Task 4 Project Management, third column: Please clarify how the grant issuance date in the first quarter relates to project management work in the second quarter.
4. Q2 Budget: The comment suggests that funds expended during January, February and March, 2014 will be included in the 2nd quarter reporting period yet it is difficult to determine how these were

reflected. Please provide further explanation. It may be appropriate for this information to also be included in the first quarter report.

5. Q2 Detailed Budget: It appears that no expenses were incurred during April and that the only expenses incurred during May and June were for a contractor. Please explain why no work occurred in April, even though Attachment 1 identifies a conference call during April. Were there any expenses for Tribal employees performing work under the grant (technical or administrative) or oversight of the contractor? Were any indirect costs incurred? Please ensure that the expenditures are consistent with activities reported in the narrative section of this report.

6. Q2 Attachment 1: It is unclear whether Item #12, Frontier Water Treatment Work Plan is covered by the approved Work Plan for this cooperative agreement. Please provide further information to indicate how it is related to the CERCLA actions for the Simplot OU.